

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 MALIQUE GREEN,

4 Petitioner,

2:14-cv-01630-GMN-PAL

5 vs.

ORDER

6 ATTORNEY GENERAL, *et al.*,

7 Respondents.

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10 In this habeas corpus action, in an order entered May 13, 2015, the court ordered the  
11 petitioner, Malique Green, to show cause, within 30 days, why the court should not dismiss his  
12 action. *See* Order entered May 13, 2015 (ECF No. 2). The court explained that there is no  
13 indication in Green's habeas petition that he is currently in custody on the conviction and sentence  
14 he challenges, and that, therefore, this court lacks jurisdiction. *See id.* The court also explained that  
15 it appears that Green has not exhausted available state-court remedies. *See id.* The court granted  
16 Green an opportunity to show cause why this action should not be dismissed for those reasons. *See*  
17 *id.* The court stated that if Green failed, within the time allowed, to make a prima facie showing that  
18 he is still in custody on the conviction and sentence he challenges in this case, and that he has  
19 exhausted, in state court, one or more of the claims he asserts in his petition in this action, this case  
20 will be dismissed. Green did not respond to the order to show cause.

21 On May 22, 2015, the copy of the May 13 order sent to Green was returned to this court  
22 undelivered (ECF No. 4). It appears that Green has not kept the court informed of his current  
23 address, as required by LSR 2-2.

24 Therefore, the court will dismiss this action, without prejudice, for the following reasons:  
25 (1) there is no indication in the habeas petition that the petitioner is currently in custody on the  
26 conviction and sentence he challenges, and this court, therefore, lacks jurisdiction; (2) the petitioner

1 has not exhausted available state-court remedies with respect to any of his claims; and (3) the  
2 petitioner has not kept the court informed of his current address as required by LSR 2-2.

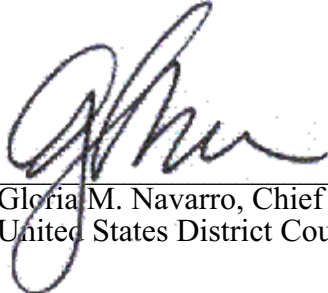
3 **IT IS THEREFORE ORDERED** that this case is dismissed without prejudice.

4 **IT IS FURTHER ORDERED** that the petitioner is denied a certificate of appealability.

5 **IT IS FURTHER ORDERED** that the clerk of the court shall enter judgment accordingly.

6 **DATED** this 15th day of June, 2015.

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Gloria M. Navarro, Chief Judge  
United States District Court